



CITY OF CHARLESTON

Planning Commission Agenda Package

FOR THE MEETING OF :

August 17, 2016 5:00PM 2 George St, Charleston, SC

CITY OF CHARLESTON



DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY

www.charleston-sc.gov/pc

CITY OF CHARLESTON PLANNING COMMISSION

MEETING OF AUGUST 17, 2016

A meeting of the City of Charleston Planning Commission will be held at **5:00 p.m., on Wednesday, August 17, 2016** in the Public Meeting Room, 1st Floor, 2 George St. The following applications will be considered:

REZONINGS

1. **Maybank Hwy at Promenade Vista St (James Island) TMS# 4240000001** – approx. 10.57 ac. Request rezoning from Gathering Place (GP) to Planned Unit Development (PUD).
Owner: CPC James Island LLC
Applicant: Hellman Yates & Tisdale PA
2. **53 Bogard St (Peninsula - Cannonborough/Elliottborough) TMS# 4600803105** – 0.118 ac. Request rezoning from Diverse Residential (DR-2F) to Commercial Transitional (CT).
Owner: 53 Bogard Street LLC
Applicant: Christopher Wyatt
3. **403 Wappoo Rd (West Ashley) TMS# 3501000010** – 0.46 ac. Request rezoning from Single-Family Residential (SR-1) to Single and Two-Family Residential (STR).
Owner: Christopher & Rachel Davis
4. **Clements Ferry Rd (Cainho) TMS# 2750000084** – 18.09 ac. Request rezoning from Conservation (C) to Rural Residential (RR-1).
Owner: Thomas Island LLC
Applicant: George B. Smythe
5. **1484 Camp Rd (James Island) TMS# 4250600089** – 7.88 ac. Request rezoning to include property in the School Overlay Zone (S). Zoned Single-Family Residential (SR-1).
Owner: Charleston County School District
Applicant: Hussey Gay Bell – Mike Cain

SUBDIVISIONS

1. **Brigade St (Peninsula) TMS# 4640000003 & 017** – 15.85 ac. 3 lots. Request subdivision concept plan approval. Zoned Mixed-Use Workforce Housing (MU-2/WH).
Owner: MSP NOMO MF LLC
Applicant: Thomas & Hutton Engineering Co.
2. **Carolina Bay, Phase 22 (Carolina Bay - West Ashley) TMS# 3070000005** – 3.03 ac. 10 lots. Request subdivision concept plan approval. Zoned Planned Unit Development (PUD).
Owner: Pulte Home Corporation
Applicant: Seamon Whiteside & Associates Inc.
3. **Stefan Drive Townhomes (James Island) TMS# 3430700146-148** – 0.703 ac. 8 lots. Request subdivision concept plan approval. Zoned Diverse Residential (DR-12).
Owner: Atlantic Management, LLC
Applicant: Cline Engineering

ORDINANCE AMENDMENTS

1. Request approval to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District to change specific details within.
2. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-208.1 Bed and Breakfasts not located within the Old and Historic District, to clarify where Bed and Breakfasts are permitted in areas outside the Old and Historic District.

PRESENTATION AND DISCUSSION

Presentation and discussion of fence height zoning regulations within residentially zoned areas.

ELECTION OF CHAIR AND VICE-CHAIR

Commission selection of a chairperson and a vice-chairperson to serve until January 1, 2017.

APPROVAL OF MINUTES

Approval of minutes from previous meetings.

REPORT OF THE TECHNICAL REVIEW COMMITTEE

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

Preliminary & Final Plats

1. The Marshes at Cooper River (Cainhoy) TMS# 2670000004, 005, 010, 050-057, 069 – 34.6 ac. 128 lots. PUD. Preliminary subdivision plat under review.
2. Parcel R, Block C, Lot 2 (Daniel Island) TMS# 2750000220 – 5.2 ac. 2 lots. DI-TC. Final subdivision plat pending approval.
3. Carolina Bay Phase 13A (West Ashley) TMS# 3070000004, 3090000054 – 21.0 ac. 55 lots. PUD. Final subdivision plat pending approval.
4. Fairchild Street (Daniel Island) TMS# 2750000269 – 1.3 ac. 2 lots. DI-TC. Preliminary subdivision plat pending approval.
5. Hopewell Drive (Cainhoy) TMS# 2620000008 – 3.3 ac. R/W. PUD. Preliminary subdivision plat under review.
6. Parcel F, Phase 4 (Daniel Island) TMS# 2750000249 – 14.7 ac. 23 lots. DI-R. Final subdivision plat pending approval.
7. Grand Oaks Phases 7A, 7B, 9A (West Ashley) TMS# 3010000697 – 69.3 ac. 144 lots. PUD. Preliminary subdivision plat pending approval.

Road Construction Plans

1. The Marshes at Cooper River (Cainhoy) TMS# 2670000004, 005, 010, 050-057, 069 – 34.6 ac. 128 lots. PUD. Road construction plans under review.
2. Grand Oaks Phases 7A, 7B, 9A (West Ashley) TMS# 3010000697 – 69.3 ac. 144 lots. PUD. Road construction plans pending approval.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pc. In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

CITY OF CHARLESTON PLANNING COMMISSION

August 17, 2016

Rezoning 1 :

Maybank Hwy at Promenade Vista St (James Island)

BACKGROUND

Note: City Council gave first reading approval to the proposed Planned Unit Development on June 21, 2016. Planning Commission deferred the request during its July meeting. The applicant has made changes to the site plan as suggested by the Planning Commission and residents.

The applicant is requesting a rezoning from Gathering Place (GP) to Planned Unit Development (PUD). The subject property is a piece of a larger tract that has already been subdivided and partially developed as multi-family dwelling units. Situated near the intersection of Maybank Highway and Folly Road, the subject property was vacant for many years as development grew up around it. Next door to the east is a busy shopping center containing a grocery store, restaurants, and other retail uses. To the south are a townhouse development and a single-family subdivision. To the north, across Maybank Highway are offices and single-family homes. To the west are new apartments, a church and a vacant development property. Surrounding zonings include General Business (GB), Limited Business (LB), Diverse Residential (DR-2F), Single-Family Residential (SR-1) and Gathering Place (GP).

Part of the original development tract of this property has already been developed under the Gathering Place zoning district. In recent months, the City of Charleston has been working to revise the Gathering Place district, but City council members have recommended that this site instead be handled through a PUD zoning process so that there could be more flexibility. The site remains an excellent one for density, as it is at key crossroads of James Island and has more variety of uses that can be walked to than anywhere else on James Island. Public transit routes are nearby, and the applicant will be working with CARTA to locate a transit stop at the site.

Key provisions of the PUD include a mix of uses: a maximum of 7,500 square feet of commercial use, a maximum of 279 multi-family dwelling units and 3.28 acres of open space (including the tree save area).

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends infill and redevelopment sites in key urban nodes be developed with well-designed, walking-scale blocks and buildings and neighborhood compatible uses. The subject property is designated in the Century V Plan as **Urban Center** which consists of areas ideal for a mixture of uses and high residential density. Given the property's central location, existing pattern of development and proximity to services, transit nodes and transportation corridors, the proposed PUD zoning is appropriate for this site.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS TO BE DISCUSSED AT THE MEETING

Rezoning 1

Maybank Hwy at Promenade Vista St

TMS# 4240000001

approximately 10.57 ac.

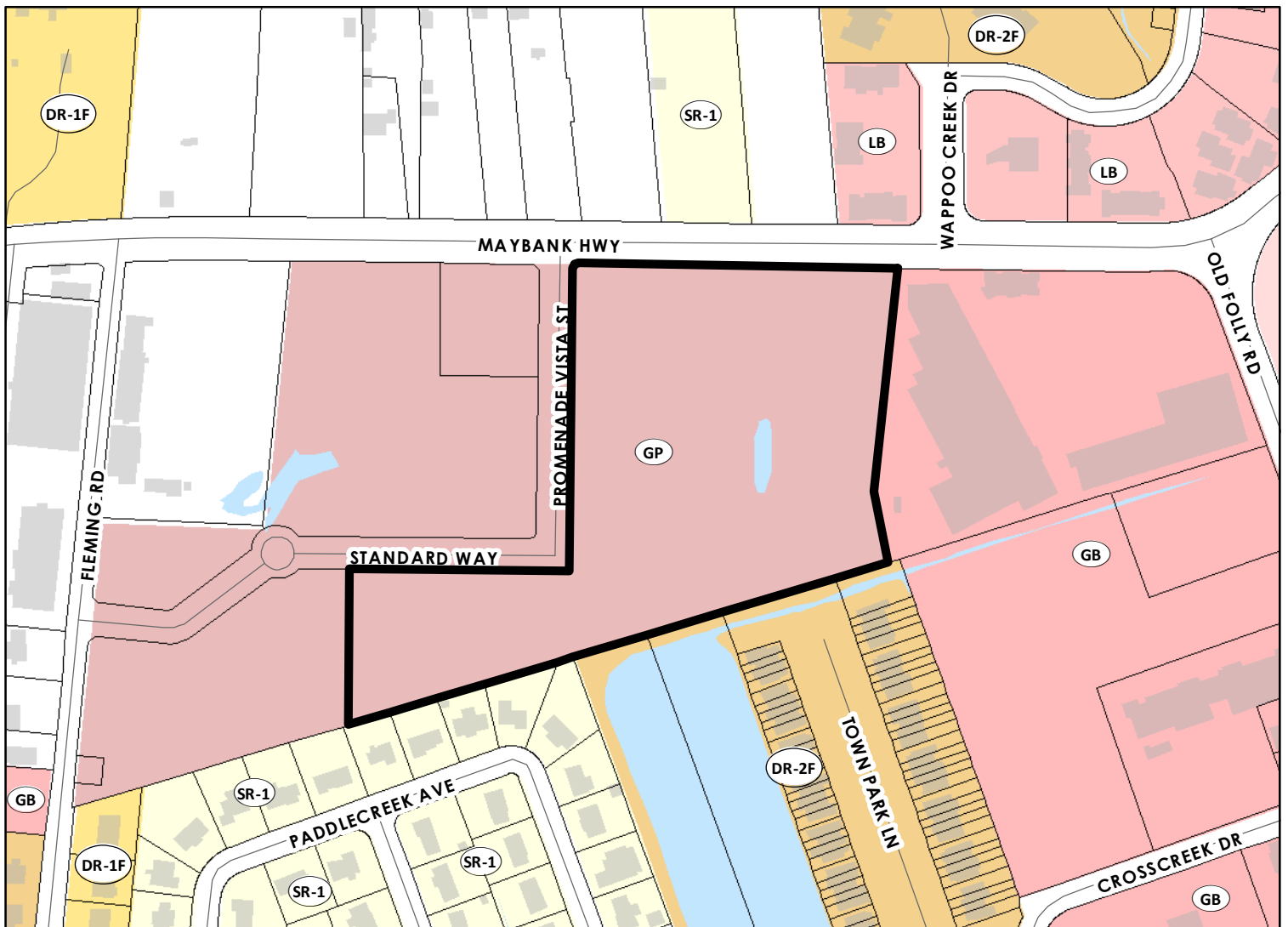
Request rezoning from Gathering Place (GP)
to Planned Unit Development (PUD)

Owner: CPC James Island, LLC
Applicant: Hellman Yates & Tisdale, PA

Area



Location



NOTES:

- 1. TMS# 424-00-00-001
- 2. TOTAL ACREAGE 10.57 ACRES
- 3. ZONING: PUD
- 4. PROPOSED USE: NEW MULTI-FAMILY COMPLEX, COMMERCIAL USES, & CONSERVATION OPEN SPACE
- 5. BUFFER REQUIREMENTS:
 - 5.1. BUFFER ALONG MAYBANK: 0'
 - 5.2. BUFFER (PROMENADE VISTA): PER SECTION 54-343
 - 5.3. BUFFER SIDE (JAMES ISLAND SHOPPING CENTER): 10', TYPE B
 - 5.4. BUFFER ALONG RESIDENTIAL DR-2F AND SR-1: UNDISTURBED 25', AUGMENTED BY STAFF RECOMMENDATION
- 6. RESIDENTIAL DENSITY:
 - 6.1. 279 DWELLING UNITS MAXIMUM, 272 MINIMUM
- 7. PARKING: REQUIRED PARKING: 1.40 SPACES PER UNIT
- 8. OPEN SPACE REQUIRED:
 - 8.1. 20% OF THE PARCEL - 2.11 AC
 - 8.2. 25% OF THE 20% OPEN SPACE TO BE USABLE - 0.529 AC



CONCEPTUAL SITE MASTER PLAN MAYBANK PLANNED UNIT DEVELOPMENT

SCALE: 1"=40'-0"

CITY OF CHARLESTON PLANNING COMMISSION

August 17, 2016

Rezoning 2 :

53 Bogard St (Peninsula - Cannonborough/Elliottborough)

BACKGROUND

The applicant is requesting a rezoning from Diverse Residential (DR-2F) to Commercial Transitional (CT). The subject property, located on the south side of Bogard Street between Sires Street and Rose Lane, is surrounded by Diverse Residential (DR-2F) zoning with some Limited Business and PUD zonings nearby. The property is surrounded by mostly multi- and single-family residential properties but one commercial use exists across Bogard Street at the corner of Rose Lane. Although, built and used historically as a commercial building, the existing use in the subject property is residential.

Corner commercial uses are a Charleston tradition. As in most urban areas, small commercial uses such as offices, food stores, delis, restaurants and cafes have historically co-existed among residential uses. The Charleston peninsula and the Cannonborough/Elliottborough neighborhood have many mixed-use corner properties and they are often a desirable feature in neighborhoods both new and old. Some of the existing corner commercial uses throughout Charleston are zoned commercially, but many are considered 'legal non-conforming' because their commercial uses historically pre-date their existing zoning district.

The CT zoning district allows many commercial and residential uses considered to be compatible with predominantly residential neighborhoods. The intensity of uses, hours of operation, size and outdoor activity are restricted in this zoning district more so than other commercial zoning districts.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Urban** which is characterized by a mix of residential and commercial uses. Given the urban character of the surrounding blocks, and the restrictions of the CT zoning district, the requested CT zoning is appropriate.

STAFF RECOMMENDATION

APPROVAL

Rezoning 2

53 Bogard St
(Peninsula - Cannonborough/Elliottborough)

TMS# 4600803105

0.118 ac.

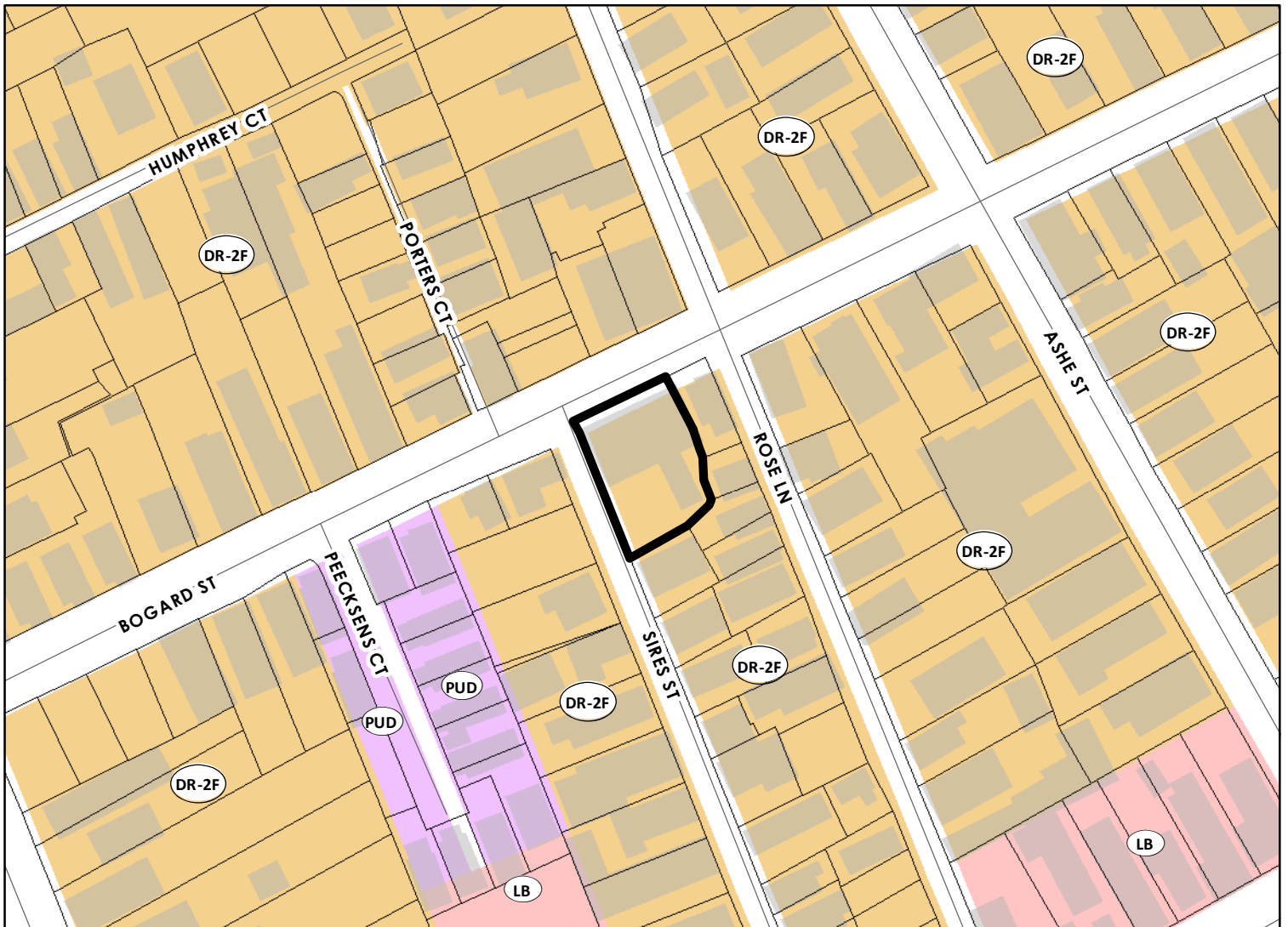
Request rezoning from Diverse Residential (DR-2F)
to Commercial Transitional (CT).

Owner: 53 Bogard Street LLC
Applicant: Christopher Wyatt

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

August 17, 2016

Rezoning 3 :

403 Wappoo Rd (West Ashley)

BACKGROUND

The applicant is requesting a rezoning from Single-Family Residential (SR-1) to Single and Two-Family Residential (STR). The subject property, located at the corner of Wappoo Road and Edgewood Drive, is surrounded on three side by Single and Two-Family Residential (STR) zonings and SR-1 across Wappoo Road. Both STR and SR-1 zoning districts are prevalent within the neighborhood. The property is surrounded by single-family homes with many duplexes and townhomes nearby within the neighborhood. The subject property now contains a single-family home.

The STR zoning allows a single-family home or two residential units (attached or detached) on one parcel. Adjacent Wappoo Road carries a lot of vehicles with many neighborhood streets feeding into it. The subject property is also one block from the West Ashley Greenway.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Suburban Edge** which is characterized by mostly residential uses. Given the existing pattern of development in the surrounding neighborhood and the existing surrounding zoning, the requested STR zoning is appropriate.

STAFF RECOMMENDATION

APPROVAL

Rezoning 3

403 Wappoo Rd (West Ashley)

TMS# 3501000010

0.46 ac.

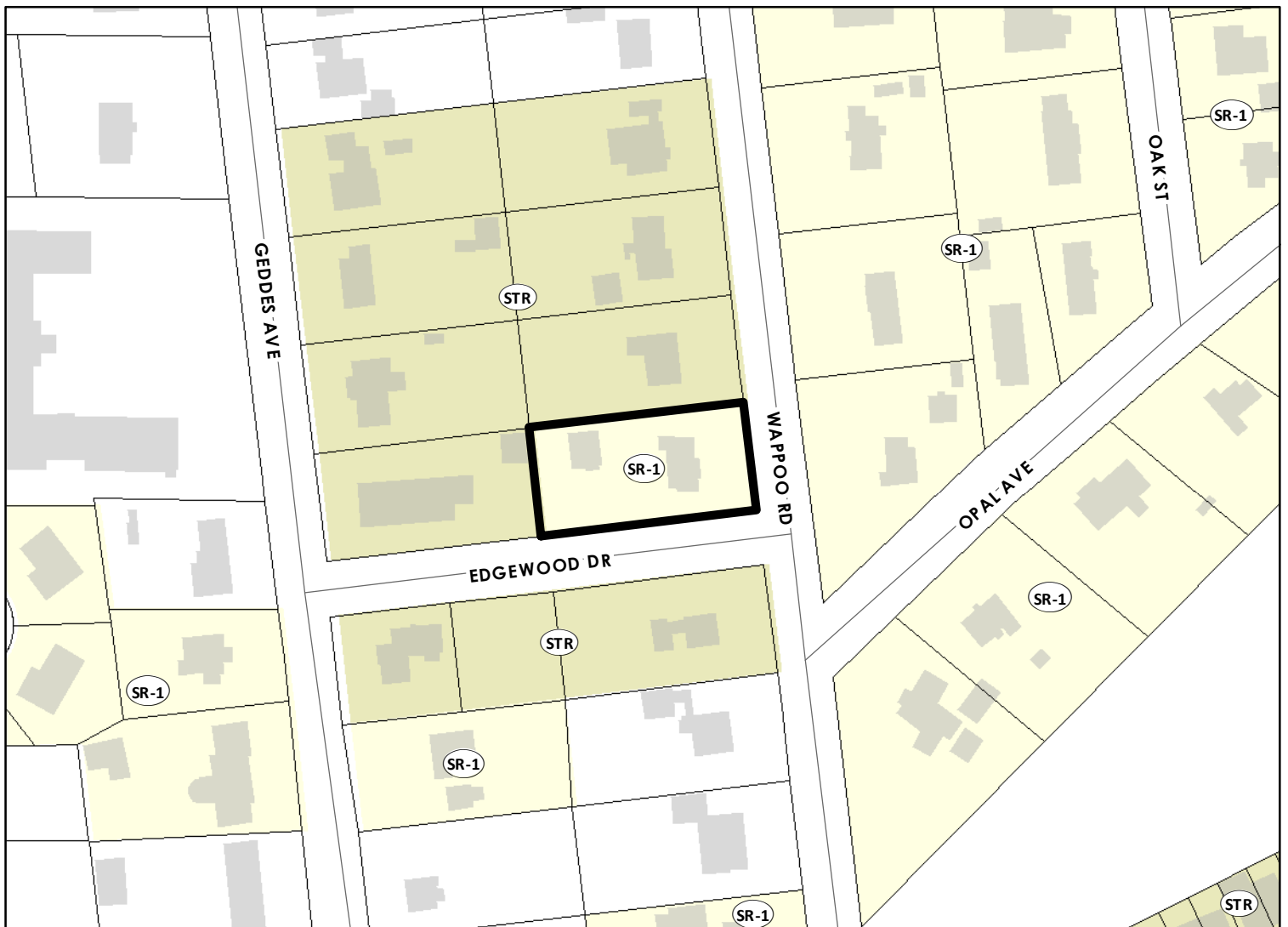
Request rezoning from Single-Family Residential (SR-1)
to Single and Two-Family Residential (STR).

Owner: Christopher & Rachel Davis

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

August 17, 2016

Rezoning 4 :

Clements Ferry Rd (Cainhoy)

BACKGROUND

The applicant is requesting rezoning from Conservation (C) to Rural Residential (RR-1). The property is located near the southern end of Clements Ferry Road and on Clouter Creek (near Daniel Island). The property also has frontage on Redford Road. The subject property is surrounded by Conservation zoning (mostly marsh parcels) in the City and Multisection Manufactured Residential (R1-MM) zoning in Berkeley County. The R1-MM zoning in the County requires minimum lot sizes of 14,000 sq. ft. which compares similarly to the 12,000 sq. ft. minimum in the RR-1 zoning. The property is surrounded by large, mostly wooded lots and very few are occupied by homes. Several of the surrounding vacant lots are owned by the State Ports Authority.

The subject property is comprised of approximately 18 acres of which about 9 acres are high. The lot is almost entirely wooded with some marsh area on the western edge.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends keeping the character of established areas in the City when considering the rezoning of property. The Century V Plan map indicates the subject property is within an area designated as **Suburban Edge**. Areas designated as such typically have primarily residential uses and varying, but lower residential densities. This end of Clements Ferry Road is made up mostly of single-family homes or large undeveloped lots and nearby newer subdivisions. Given the plan map designation, the existing residential character of the area and the potential for development of the larger lots in either the County or the City, the RR-1 zoning is appropriate for this area.

STAFF RECOMMENDATION

APPROVAL

Rezoning 4

Clements Ferry Rd (Cainhoy)

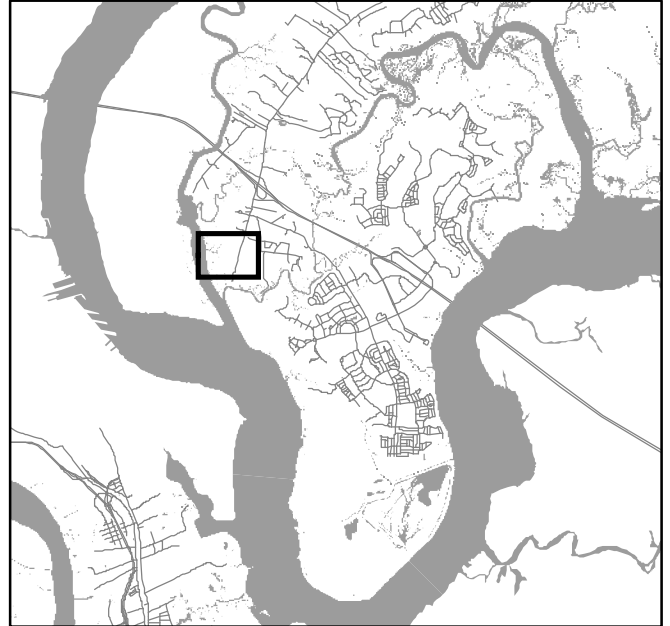
TMS# 2750000084

18.09 ac.

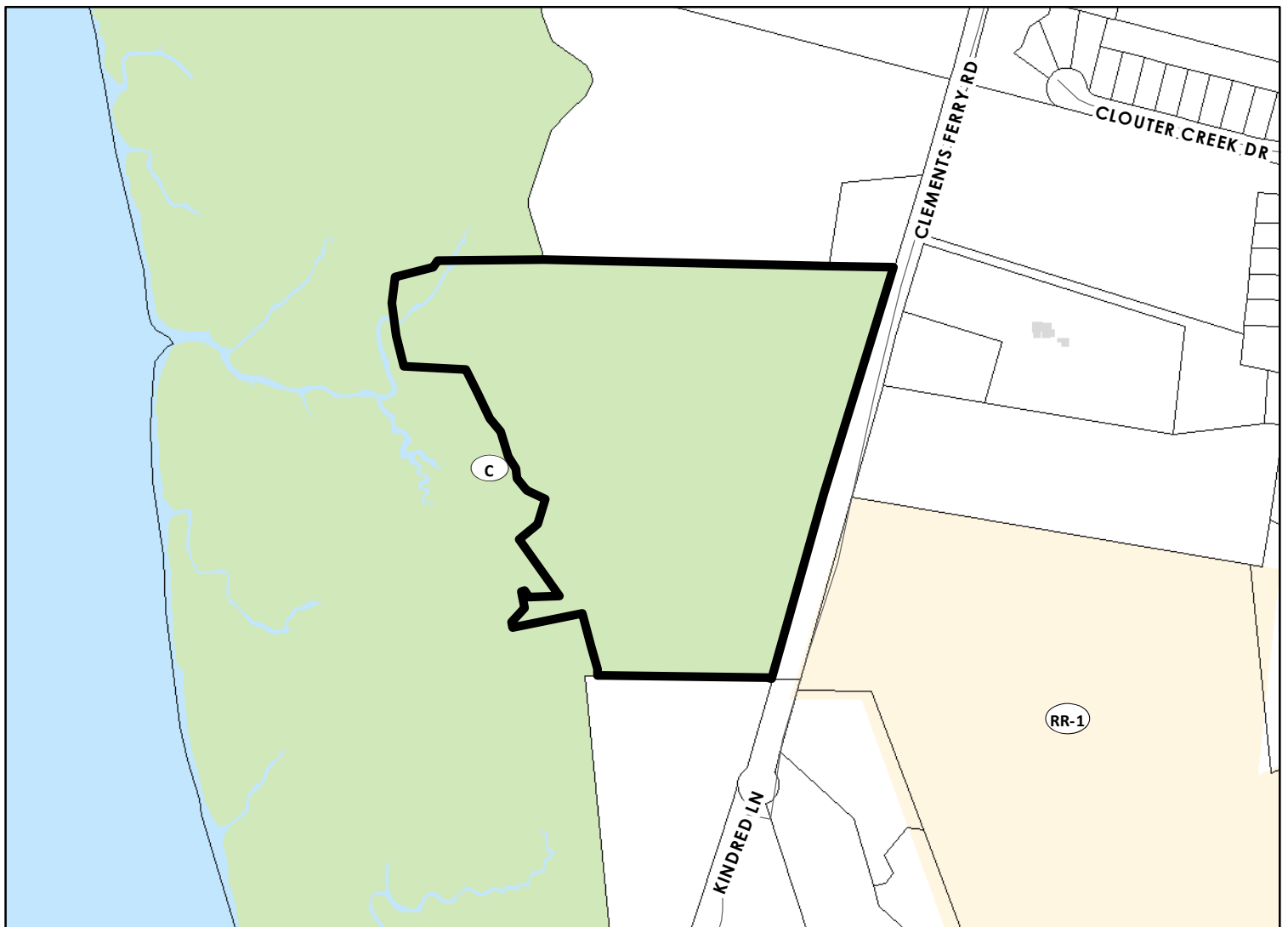
Request rezoning from Conservation (C) to
Rural Residential (RR-1).

Owner: Thomas Island LLC
Applicant: George B. Smythe

Area



Location



CITY OF CHARLESTON PLANNING COMMISSION

August 17, 2016

Rezoning 5 :

1484 Camp Rd (James Island)

BACKGROUND

The owner/applicant, Charleston County School District, is requesting a rezoning to include the subject property in the School Overlay Zone (S). The subject property, currently zoned Single-Family Residential (SR-1), is located on the north side of Camp Road near Oyster Point Row. The property is currently occupied by James Island Middle School and the district plans to use the site as a "swing campus" for Fort Johnson Middle School students while a new school building is built. This will necessitate additional classroom and administration space and parking on and nearby the existing school campus. Surrounding zonings include Single-Family Residential (SR-1) and Diverse Residential (DR-1F and DR-2F) in the City and Single Family Residential in the Town of James Island. Existing uses surrounding the subject property include two churches, single-family homes and townhouses.

As is typical in many neighborhoods, schools co-exist with many other uses; including areas with predominately residential uses. The School Overlay Zone is intended to identify areas within residential zoning districts where school uses are allowed. New or expanded school uses are prohibited within residential zoning districts unless they are within the School Overlay Zone. Most schools located on the Charleston peninsula, both private and public, are located in the School Overlay.

The Board of Zoning Appeals--Zoning must approve the manner of the use as an exception, upon a finding by the Board that certain conditions will be met to minimize the potential negative impacts to the greatest extent possible. These conditions are as follows:

For nursery, preschool and kindergarten schools:

- (a) Proof of the application for the facilities licensing by the Department of Social Services is provided;*
- (b) Outdoor play is allowed only between the hours of 8 a.m. and 6 p.m.;*
- (c) Play areas within fifty feet (50') of a residential structure are appropriately buffered;*
- (d) Off-street parking requirements of this Chapter are met and parking areas are appropriately buffered;*
- (e) Plans for ingress/egress, loading/unloading and the location of the parking and play areas are approved for safety by the appropriate City department(s);*
- (f) The facility is compatible with the surrounding neighborhood based upon consideration of the number of persons in the facility, potential traffic and noise impacts, location of the play, parking, loading and circulation areas and relation to other noise or traffic generating institutions (particularly if another non-residential facility is facing or abutting the same block face or is within three hundred feet (300') of the proposed site); and*

- (g) *Proposed outdoor lighting of the facility does not unduly impact neighboring properties.*

For elementary and secondary schools and colleges:

- (a) *The principal building(s) shall occupy no more than fifty (50) percent of the lot on which the building(s) is (are) located;*
- (b) *Sufficient well-designed parking spaces will be provided internal to the campus and parking areas shall be appropriately buffered;*
- (c) *Dormitory type facilities will be no closer than twenty-five feet (25') to any lot occupied by a single-family dwelling;*
- (d) *Excessive traffic will not be generated on a residential street; and*
- (e) *The facility is compatible with the surrounding neighborhood based upon consideration of the number of persons in the facility, potential traffic and noise impacts, location of the play, parking, loading and circulation areas and relation to other noise or traffic generating institutions (particularly if another non-residential facility is facing or abutting the same block face or is within three hundred feet (300') of the proposed site).*

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends keeping the character of established areas in the City when considering rezoning property. The School Overlay Zone indicates the City's recognition of the importance of neighborhood schools and is it intended to make sure that existing school uses continue to be compatible with surrounding neighborhoods. Rezoning the subject property to be included in the School Overlay Zone is recommended to ensure appropriate continued school uses occur within the existing neighborhood. The exception required by the Board of Zoning Appeals (Zoning) will ensure that new school uses on the property are appropriate for the area.

STAFF RECOMMENDATION

APPROVAL

Rezoning 5

1484 Camp Rd (James Island)

TMS# 4250600089

approximately 7.88 ac.

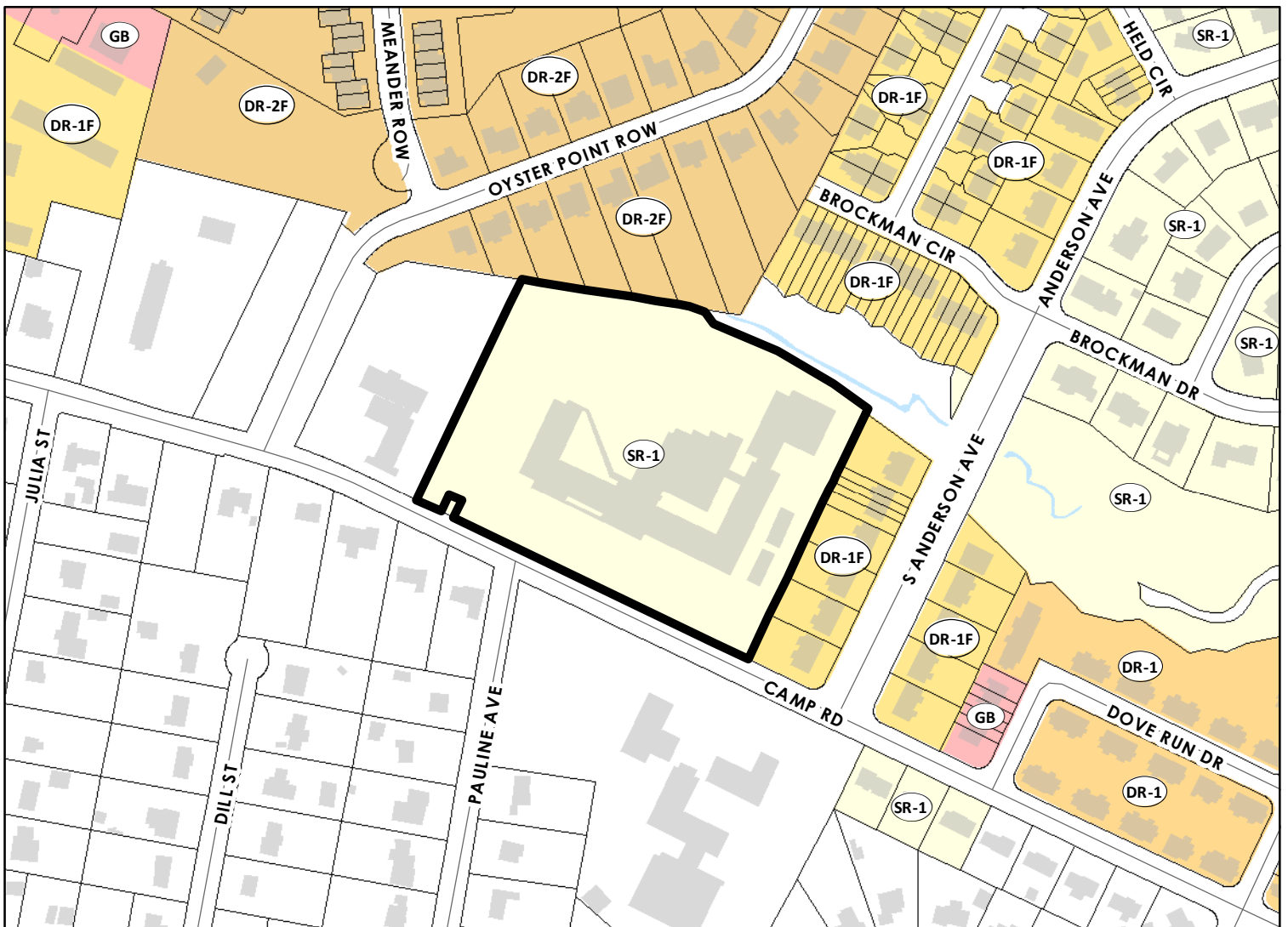
Request rezoning to include property in the
School Overlay Zone (S).
Zoned Single-Family Residential (SR-1)

Owner: Charleston County School District
Applicant: Hussey Gay Bell – Mike Cain

Area



Location



**CITY OF CHARLESTON
PLANNING COMMISSION**

August 17, 2016

Subdivision 1:

**Brigade Street
(Peninsula)**

BACKGROUND

The applicant is requesting subdivision concept plan approval for 15.85 acres at Brigade, North Romney, and Huguenin Streets on the Peninsula. This project consists of the creation of new public rights-of-way that will connect to Brigade Street and North Romney Street. As a result of the creation of these rights-of-way, three parcels will be created for future development. There are OCRM Critical Area and some grand trees on the site, but these will not be impacted by the proposed subdivision. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The surrounding area includes single-family, multi-family, and commercial uses.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS

Subdivision 1

Brigade St (Peninsula)

TMS# 4640000003 & 017

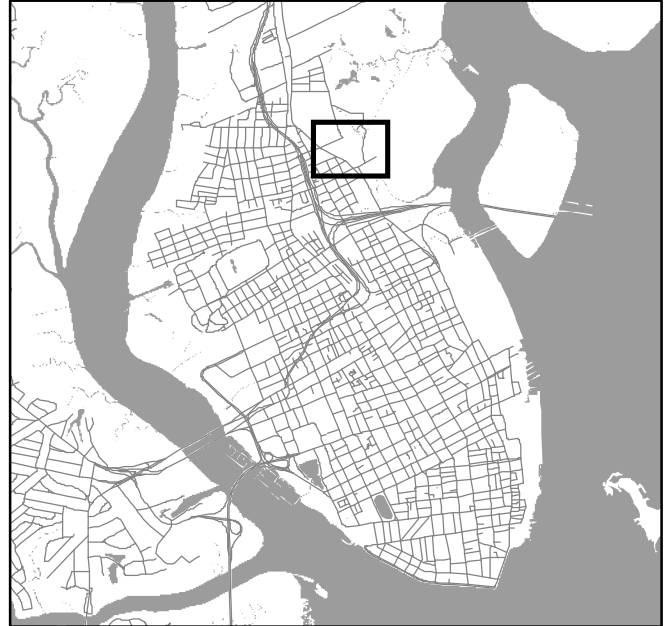
15.85 ac

3 lots. Request subdivision concept plan approval.
Zoned Mixed-Use Workforce Housing (MU-2/WH).

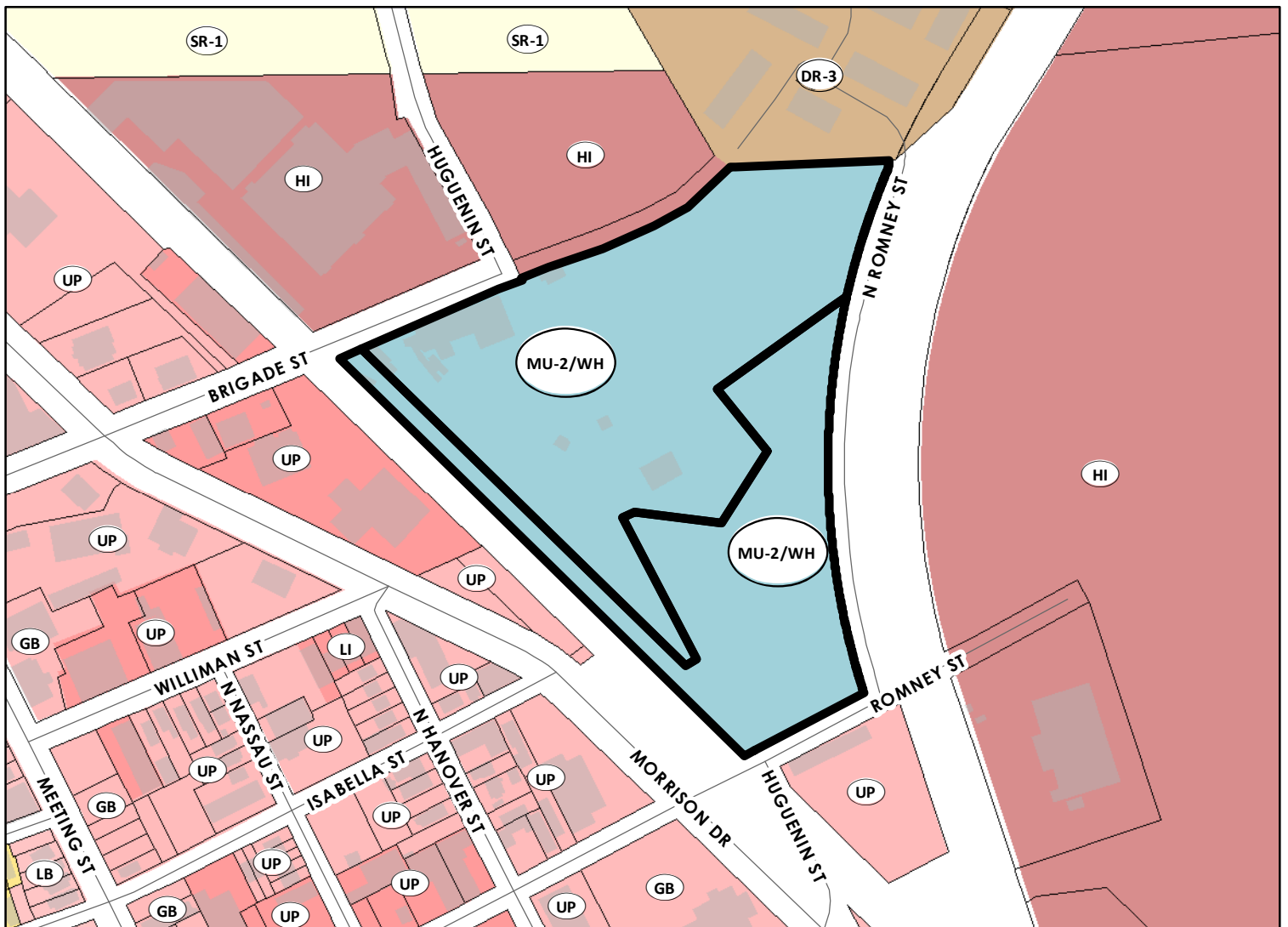
Owner: MSP NOMO MF LLC

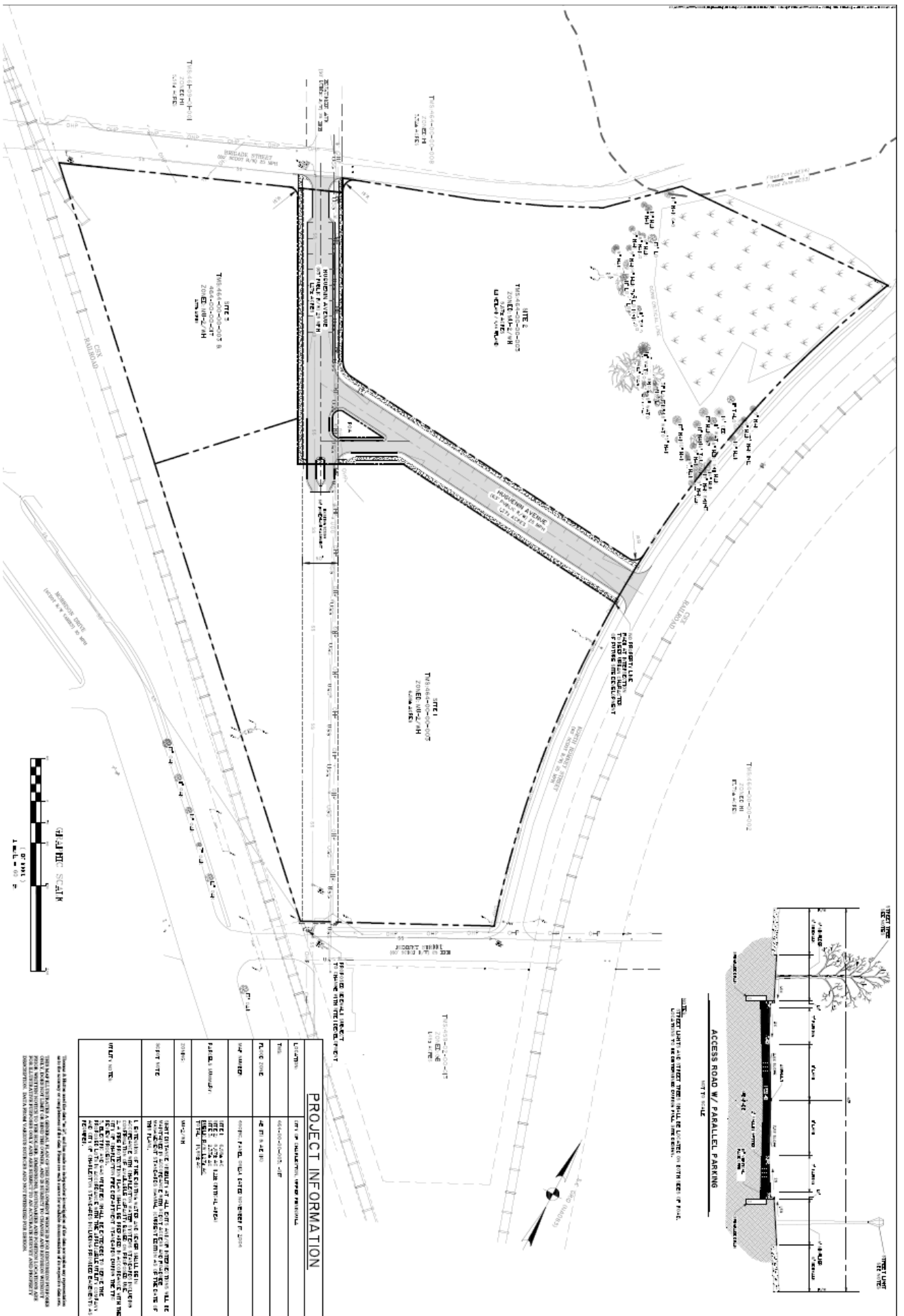
Applicant: Thomas & Hutton Engineering Co.

Area



Location





**CITY OF CHARLESTON
PLANNING COMMISSION**

August 17, 2016

Subdivision 2:

**Carolina Bay, Phase 22
(Carolina Bay Drive – West Ashley)**

BACKGROUND

The applicant is requesting subdivision concept plan approval for 3.03 acres at Carolina Bay Drive and Parklawn Drive in West Ashley. This project consists of the creation of a new public alley right-of-way that connects Carolina Bay Drive and Parklawn Drive to serve 10 new single-family lots. The site contains grand trees around which the right-of-way and homes will be situated. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The surrounding area includes primarily single-family uses.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS

Subdivision 2

Carolina Bay, Phase 22
(Carolina Bay - West Ashley)

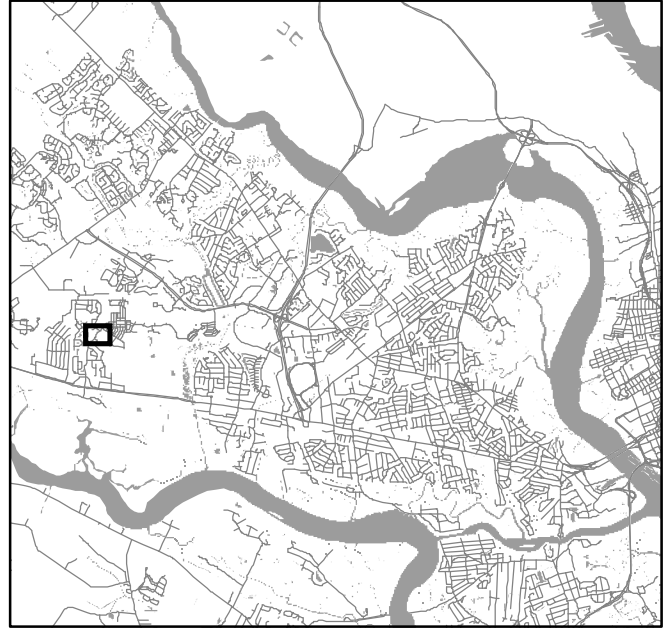
TMS# 3070000005

3.03 ac.

10 lots. Request subdivision concept plan approval.
Zoned Planned Unit Development (PUD).

Owner: Pulte Home Corporation
Applicant: Seamon Whiteside & Associates Inc.

Area



Location



[illegible]

DRAWN BY: CHECKED BY:	CHE JLM
PROJECT: DATE:	6905 05/27/16

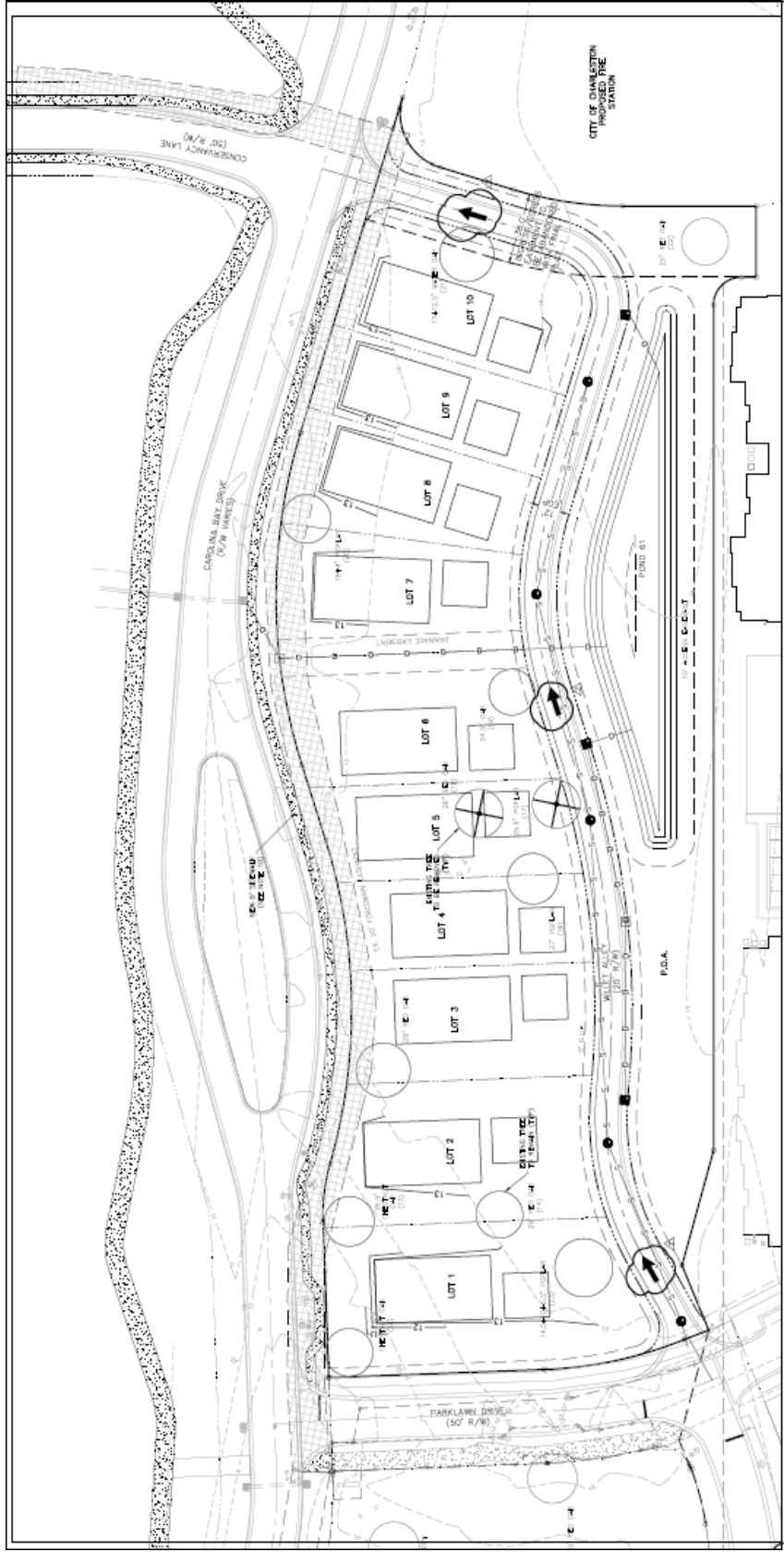


CAROLINA BAY
PHASE 22
10 LOTS
PULTE HOMES - COASTAL CAROLINA DIVISION
CITY OF CHARLOTTE, SOUTH CAROLINA
ST ANDREWS PARK



SWSEA

WHITESIDE



TREE #	DIAMETER	SPECIES	THRES TO BE REMOVED			COMMENTS	CONDITION
			POLES	GRADE			
27	25.5	POPLAR	D			HOLLOW BASE	POOR
38	26	RED OAK	C			POOR FORM	FAIR

NOTE: ALL TREES TO BE REMOVED BY NATURAL MEANS. BZA SUBMITTAL FOR THE TREE REMOVAL TO BE MADE ON JULY 1st 2016

DATE	20 SEP-21	HAT
IT	COLLEGE - MATH	TOT
LIVE		ST=1
FIRST	ST=1	ST
LAST	ST=1	ST
TOTAL		ST=1
IE	ST=1	ST=1
AL	ST=1	ST=1
LC	ST=1	ST

STREET TYPE GREENHOLLOW	
STREET TYPE	LENGTH OF ROAD
ALLEY	775.95
WILLET ALLEY	

[illegible]

**CITY OF CHARLESTON
PLANNING COMMISSION**

August 17, 2016

Subdivision 3:

**Stefan Drive Townhomes
(James Island)**

BACKGROUND

The applicant is requesting subdivision concept plan approval for 0.703 acre at Stefan Drive south of Maybank Highway on James Island. This project consists of the further subdivision of existing lots on Stefan Drive that are currently zoned for multi-family uses to create 8 lots for single-family attached dwelling units. There are no new rights-of-way being created by this subdivision. The site contains no grand trees or wetlands. The City's Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The surrounding area includes primarily single-family, multi-family, and commercial uses.

STAFF RECOMMENDATION

APPROVAL WITH CONDITIONS

Subdivision 3

Stefan Drive Townhomes (James Island)

TMS# 3430700146-148

0.703 ac.

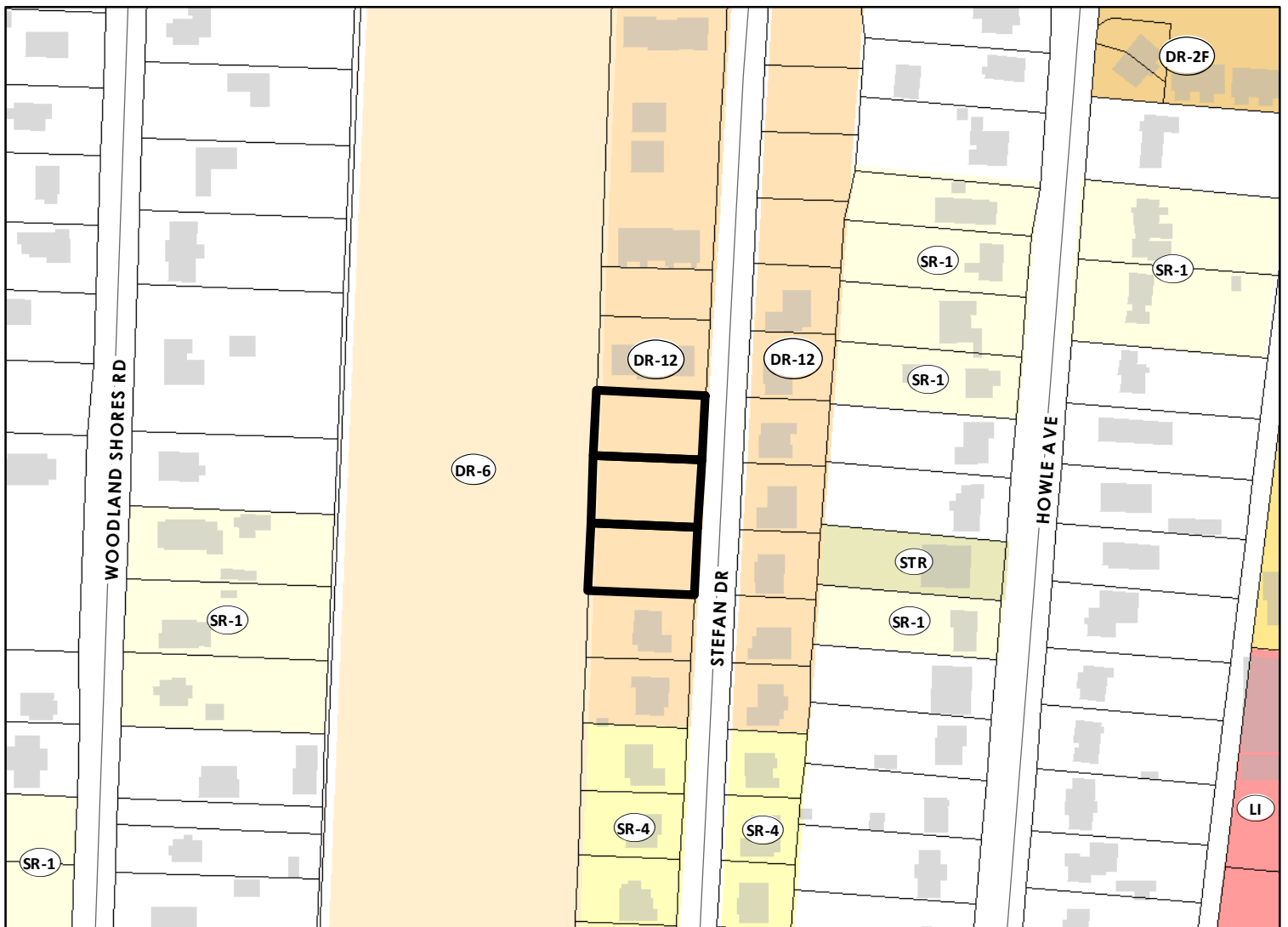
Request subdivision concept plan approval.
Zoned Diverse Residential (DR-12). 8 lots

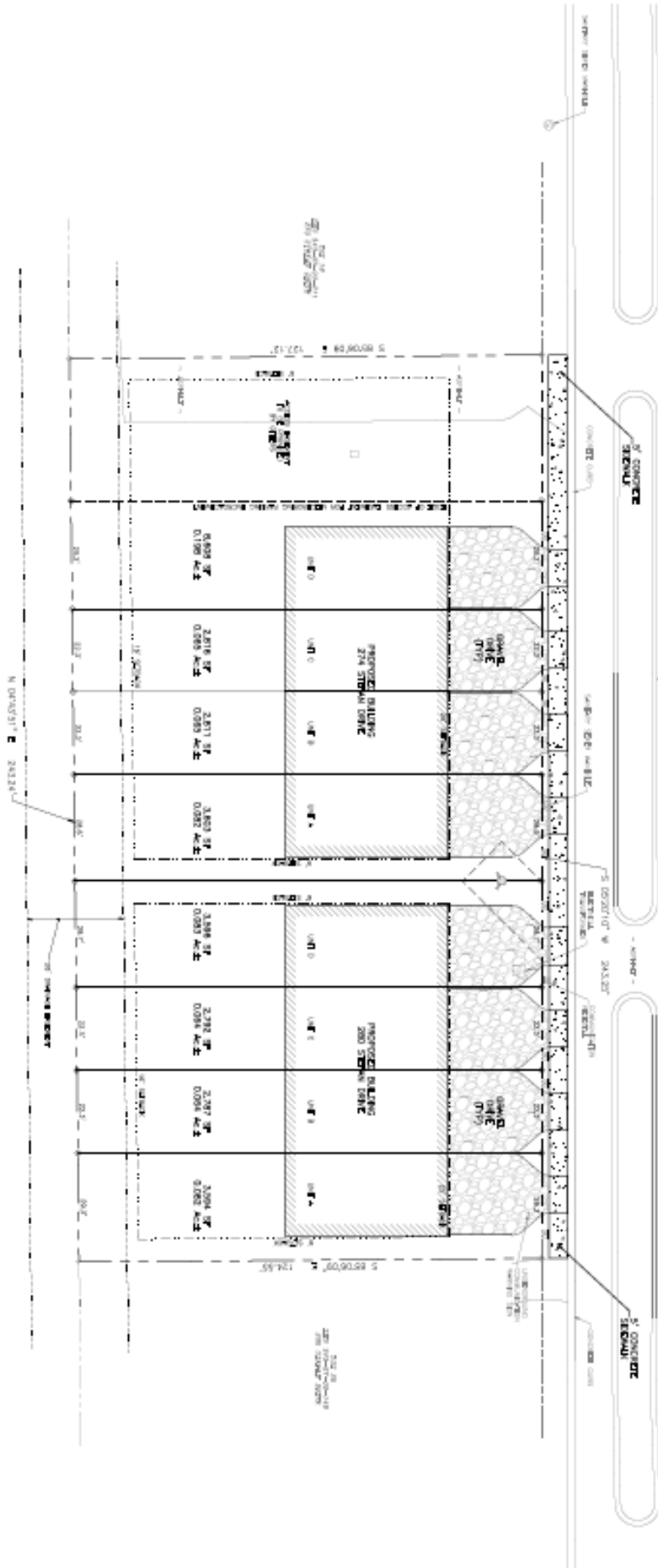
Owner: Atlantic Management, LLC
Applicant: Cline Engineering

Area



Location



[illegible]

CITY OF CHARLESTON PLANNING COMMISSION

August 17, 2016

Ordinance Amendment 1 :

Request approval to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District to change specific details within.

BACKGROUND

This item will be presented in detail during the meeting.

STAFF RECOMMENDATION

APPROVAL

AN ORDINANCE

TO AMEND PROVISIONS OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING PART 17 – UPPER PENINSULA DISTRICT TO CHANGE SPECIFIC DETAILS WITHIN, TO WIT:

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Part 17 – Upper Peninsula District of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold and double underlined** and deleted text with ~~striketrough~~):

Sec. 54-303. - Rooftop uses above height limit.

Rooftop uses above the height limit are permitted, provided that such uses are not residential or office in nature ~~or accessory to residential or office uses~~, and provided further, the spaces for such uses are open air. Shade structures or other types of partial protection from the elements are allowed.

Sec. 54-305. - Mixed use.

Every new building in the District with more than 50,000 gross square feet of space shall contain at least two (2) different land use categories, ~~with the larger use occupying no more than eighty (80%) percent of the building's gross square footage~~. For the purpose of this section, land use categories are residential/multifamily, retail, office, institutional, or any other use not falling within these categories.

Sec. 54-306. - Parking.

If workforce housing is included within a building, parking requirements for all workforce housing units shall be one (1) space per two (2) units. **Parking requirements for a one (1) family detached dwelling, one (1) family attached dwelling, two (2) family dwelling, and multiple (3 or more) dwellings or dwellings (one or more) within commercial bldgs. shall be one (1) space per one (1) unit.** Parking requirements for all other uses shall be governed by the parking provisions of Article 3, Part 4, Off-Street Parking Requirements, with the exception of the location of parking.

Sec. 54-311. - Incentive options.

Requirements: Exceptional Bicycle Parking and Facilities

This option, designed for long-term, overnight and work-day bicycle storage, is only available for buildings in which more than fifty (50%) percent of the gross square footage is dedicated to residential and/or office use.

For one (1) point, provide and maintain the following:

- (a) Reduce vehicle parking requirements. Minimum vehicle parking requirements may be reduced at the rate of one (1) vehicle space per every six (6) bicycle spaces, up to a maximum of ten (10%) percent of vehicle parking requirements for the building.
- (b) Bicycle Parking and Facilities.

For residential

Provide an onsite enclosed and covered bicycle parking room that is secure and ventilated and which can accommodate ~~the greater of: one (1) bicycle parking space per three bedrooms, rounded up to the next whole number, or twenty (20) bicycle parking spaces.~~ A studio unit shall count as one (1) bedroom for the purpose of this calculation. The facility shall include a bicycle work stand, a basic set of bicycle repair tools and an air pump. The use of security cameras and/or security personnel is encouraged. Spaces within dwelling units do not count toward the bicycle parking requirement.

OR

For office

Provide an onsite enclosed and covered bicycle parking room that is secure and ventilated and which can accommodate ~~the greater of: one (1) bicycle parking space for every two ten thousand (2,000) (10,000) square feet of net office use, rounded up to the next whole number, or fifteen (15) bicycle parking spaces.~~ The facility shall include a bicycle work stand, a basic set of bicycle repair tools and an air pump. The use of security cameras and/or security personnel, and the installation of a vending machine stocked with patch kits, inner tubes, drinks and energy bars are encouraged. A minimum of two (2) onsite showers with associated changing facilities, restrooms and lockers must also be provided within the bicycle parking room or in close proximity thereof.

OR

For mixed use office and residential

If there is mix of office and residential uses in the building, provide an onsite enclosed and covered bicycle parking room that is secure and ventilated and which can accommodate ~~the greater of: one (1) bicycle parking space per three (3) bedrooms, rounded up to the next whole number, plus one (1) bicycle parking space for every two fifteen thousand (2,000) (15,000) square feet of net office use, rounded up to the next whole number, or fifteen (15) bicycle parking spaces.~~ A studio unit shall count as one (1) bedroom for the purpose of this calculation. Spaces within dwelling units do not count toward the bicycle parking requirement. The facility shall include a bicycle work stand, a basic set of bicycle repair tools and an air pump. The use of security cameras and/or security personnel is encouraged. A minimum of two (2) onsite showers with associated changing facilities, restrooms and lockers must also be provided within the bicycle parking room or in close proximity thereof.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of
_____ in the Year of Our Lord, 2016,
and in the ____th Year of the Independence of
the United States of America

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Vanessa Turner Maybank
Clerk of Council

**CITY OF CHARLESTON
PLANNING COMMISSION**

August 17, 2016

Ordinance Amendment 2 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-208.1 Bed and Breakfasts not located within the Old and Historic District, to clarify where Bed and Breakfasts are permitted in areas outside the Old and Historic District.

BACKGROUND

The purpose of this amendment to the Zoning Code is to clarify where B&B's are permitted outside the Old and Historic district. After we originally adopted the provisions for B&B's outside the, the Old City District was extended along certain roadways all the way up to Mount Pleasant Street. The Old and Historic District boundary changes created confusion as to what regulations pertained to which areas and so the City, with this amendment, will clarify the intent of the code.

STAFF RECOMMENDATION

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-208.1 BED AND BREAKFASTS NOT LOCATED WITHIN THE OLD AND HISTORIC DISTRICT, TO CLARIFY WHERE BED AND BREAKFASTS ARE PERMITTED IN AREAS OUTSIDE THE OLD AND HISTORIC DISTRICT (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That subsection "a." of Section 54-208.1 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~striketrough~~ and adding text shown below with a double-underline:

“a. A bed and breakfast may be established in a dwelling unit as an accessory to the principal residential use, on any property located on the Charleston peninsula in the Old City District ~~or~~ south of the Highway 17 Septima Clark Expressway right-of-way, or on any property located south of the Highway 17 Septima Clark Expressway and not located within the Old and Historic District, where the zoning administrator, after reviewing a bed and breakfast application, finds that the following requirements are met:

Section 2. That subsection “a., 2.” of Section 54-208.1 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~strike through~~ and adding text shown below with a double-underline:

“2. The subject property shall be located within the Old City District ~~or~~ south of the Highway 17 Septima Clark Expressway right-of-way, or south of the Highway 17 Septima Clark Expressway and not within the Old and Historic District; and”

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2016, and in the ____ Year of the Independence of the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Clerk of Council